



BURT C. PROOM, CPCU
President

OFFICE OF THE GENERAL COUNSEL
Joseph Marrone
Vice President and General Counsel

June 26, 1979

Mr. Jerome Saltzman
Deputy Chief
Office of Antitrust & Indemnity
Directorate of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Three Mile Island

Dear Mr. Saltzman:

I enclose copies of the three most recent suit filings in the Three Mile Island incident identified as follows:

DAVID PALMER et al
vs.
METROPOLITAN EDISON et al

CIVIL ACTION NO. 79-763

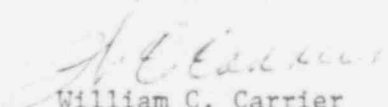
GREENE'S CAMP HILL
vs.
METROPOLITAN EDISON et al

CIVIL ACTION NO. 79-774

PEEK-A-BOO BATH BOUTIQUE
vs.
METROPOLITAN EDISON et al

CIVIL ACTION NO. 79-775

Very truly yours,


William C. Carrier
Claims Counsel

WCC/mbm
Encs.

7907030 389 265 017

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID PALMER, and
EMILY PALMER, Husband and Wife and
ALLISON PALMER, a minor by her
parents and guardians
DAVID PALMER and EMILY PALMER
Kister Street
Goldsboro, Pa.

: CIVIL ACTION

CIV 79 763

: JURY TRIAL DEMANDED

V.

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605
and

BABCOCK & WILCOX COMPANY
161 E. 42nd Street
New York, New York 10017
and

J. RAY McDERMOTT & COMPANY, INC.
1610 Common Street
New Orleans, Louisiana 70112
and

GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054
and

JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Punchbowl
Morristown, New Jersey
and

CATALYTIC, INC.
1500 Market Street
Centre Square West
Philadelphia, Pa. 19102

FILED

SCRANTON, PA.

MUN 18 1979

DONALD R. BERRY, Clerk

DEPUTY CLERK

: NO.

COMPLAINT IN TRESPASS

1. The plaintiffs, David Palmer, Emily Palmer and their minor daughter, Allison Palmer, are citizens of the Commonwealth of Pennsylvania and reside at Kister Street, Goldsboro, Pennsylvania.

265 018

YOUR STATE

JURY DEMAND:

YES NO

2. SAME ISSUE OF FACT OR AROUS OUT OF THE SAME TRANSACTION
 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TR

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl. Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

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POOR ORIGINAL

265 019

IN STATE			
RY DEMAND:	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
			<input type="checkbox"/> SAME ISSUE OF FACT OR CROSS OUT OF THE SAME TRANSACTION
			<input type="checkbox"/> VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

5. On or about March 19, 1979, the defendants, through their agents, servants and employees caused radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred, at the Three Mile Island Nuclear Power Plant.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburg for the Commonwealth of Pennsylvania on March 30, 1979 ordered that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Plant. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state, local and national government spokespersons regarding the dangers of the radiation exposure, the plaintiffs felt compelled to evacuate the area for their own safety.

7. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

8. The damages sustained by the plaintiffs were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

265 020

POOR ORIGINAL

STATE		1. PROPERLY
BY DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
SIGNATURE OF ATTORNEY OF RECORD		

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiffs of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

9. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

10. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

11. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiffs and their property, and harm was thereby caused to the plaintiffs.

12. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant

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265 021

POOR ORIGINAL

YOUR STATE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
JURY DEMAND:		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
DATE	SIGNATURE OF ATTORNEY OF RECORD	
JUN 15 1973	John J. O'Brien, Jr.	

and those component parts were expected to and did reach the nuclear power plant without substantial change, in the condition in which they were designed, manufactured, constructed and sold.

13. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

14. As a result of the foregoing, the plaintiffs' home and their property have decreased in value and the plaintiffs have also suffered economic harm including but not limited to loss of income and travel and living expenses while evacuees.

15. Further, the plaintiffs, due to the exposure to radioactive materials emitted from the defendants' nuclear power plant had suffered physical and emotional injuries and will continue to do so for an indefinite period.

16. In the future the plaintiffs will need to undergo medical examinations on a periodic basis to determine the full extent of their injuries as a result of the defendants' negligent and wrongful conduct. The need and expense for these examinations will exist for a minimum of twenty (20) years.

17. Due to the extraordinary negligence on the part of the defendants in view of the potential risk that a nuclear power plant possesses, plaintiffs also demand that punitive damages be awarded in their favor.

18. Further, the plaintiffs demand a trial by jury on all issues of this action.

265 022

POOR ORIGINAL

COURT STATE

JURY DEMAND

YES NO

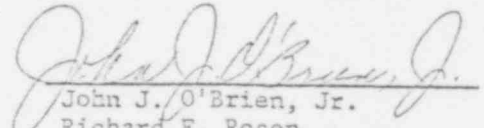
2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION

3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK

DATE

SIGNATURE OF ATTORNEY OF RECORD

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiffs for economic losses and physical and emotional injuries in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.


John J. O'Brien, Jr.
Richard F. Rosen
John J. O'Brien, III
Attorneys for Plaintiffs

POOR ORIGINAL

-6-

265 023

OR STATE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 1. PROPERTY INTEREST
TRY DEMAND:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> 2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
		<input type="checkbox"/> 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK
		SIGNATURE OF ATTORNEY OF RECORD

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GREENE'S CAMP HILL
4004 Trindle Road
Camp Hill, Pa. 17011

: CIVIL ACTION

CIV 79 774

v.

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605

: JURY TRIAL DEMANDED

and
BABCOCK & WILCOX COMPANY
161 E. 42nd St.
New York, New York 10017

and
J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Fun. bowl
Morristown, New Jersey

and
CATALYTIC, INC.
1500 Market St.
Centre Square West
Philadelphia, Pa. 19102

: NO.

FILED

SCRANTON PA

JUL 20 1979

DONALD R. BERRY, Clerk

DEP. CLERK

COMPLAINT

1. The plaintiff, Greene's Camp Hill, is an establishment in the business of selling bridal and formal attire with its store located at 4004 Trindle Road, Camp Hill, Pennsylvania 17011.

POOR ORIGINAL

265 024

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co., is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

POOR ORIGINAL

265 025

5. On or about March 28, 1979 the defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledged had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

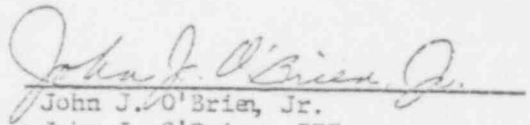
12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

POOR ORIGINAL

265 027

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.



John J. O'Brien, Jr.
John J. O'Brien, III
Richard F. Rosen

POOR ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

THE PEEK-A-BOO BATH BOUTIQUE
5226 Simpson Ferry Road
Windsor Park Shopping Center
Mechanicsburg, Pa. 17055

: CIVIL ACTION

CIV 79 775

V.

METROPOLITAN EDISON CO.
2800 Pottsville Pike
Muhlenberg, Pa. 19605

: JURY TRIAL DEMANDED

and
BABCOCK & WILCOX COMPANY
161 E. 42nd Street
New York, New York 10017

and
J. RAY McDERMOTT & COMPANY, INC.
1010 Common Street
New Orleans, Louisiana 70112

and
GENERAL PUBLIC UTILITIES
260 Cherry Hill Road
Parsippany, New Jersey 07054

and
JERSEY CENTRAL POWER AND LIGHT CO.
Madison and Punchbowl
Morristown, New Jersey

and
CATALYTIC, INC.
1500 Market Street
Centre Square West
Philadelphia, Pa. 19102

: NO.

FILED

SCRANTON, PA.

JUN 29 1979

RONALD H. BEATTY, Clerk
PER *[Signature]*
DEPUTY CLERK

COMPLAINT

1. The plaintiff, The Peek-A-Boo Bath Boutique, is an establishment in the business of selling bathroom accessories with its store located at 5226 Simpson Ferry Road, Windsor Park Shopping Center, Mechanicsburg, Pa. 17055.

POOR ORIGINAL

265 030

2. (a) The defendant, Metropolitan Edison Co., is a Pennsylvania corporation doing business within the Commonwealth of Pennsylvania with offices located at 2800 Pottsville Pike, Muhlenberg, Pa. 19605.

(b) The defendant, Babcock and Wilcox Co. is a New Jersey corporation with offices located at 161 E. 42nd Street, New York, New York, 10017.

(c) The defendant, J. Ray McDermott & Company, Inc., is a Delaware corporation with offices located at 1010 Common Street, New Orleans, Louisiana 70112.

(d) The defendant, General Public Utilities, is a Pennsylvania corporation with offices located at 260 Cherry Hill Road, Parsippany, New Jersey 07054.

(e) The defendant, Jersey Central Power and Light Co., has offices located at Madison and Punchbowl, Morristown, New Jersey.

(f) The defendant, Catalytic, Inc. is a Pennsylvania corporation with offices located at 1500 Market Street, Centre Square West, Philadelphia, Pa. 19102.

3. Jurisdiction is based upon 42 U.S.C.A. 2210 et seq. and the amount in controversy exceeds Ten Thousand (\$10,000.00) Dollars.

4. Service of process upon the defendants herein has been made pursuant to F.R.C.P. 4(e) and Title 42 of the Pennsylvania Consolidated Statutes Annotated, Sections 5322 and 5323.

POOR ORIGINAL

265 031

5. On or about March 28, 1979 the defendants through their agents, servants and employees at the Three Mile Island Nuclear Power Plant caused or allowed radioactive substances to be emitted into the environment, a fact which spokespersons for the defendants acknowledge had occurred.

6. The emissions of radiation into the environment neared such dangerous levels that Governor Thornburgh for the Commonwealth of Pennsylvania ordered on March 30, 1979 that all pre-school children and pregnant women evacuate from within five (5) miles of the Three Mile Island Nuclear Power Plant.

7. However, due to the uncertainty created by the conflicting statements of the defendants' spokespersons and state and local and national government spokespersons regarding the dangers of radiation exposure and the potential for a catastrophic radiation exposure, large numbers of individuals evacuated the area surrounding Three Mile Island Nuclear Power Plant.

8. The defendants all contributed to the construction, maintenance and operation of the Three Mile Island Nuclear Power Plant and its component parts.

9. The damages sustained by the plaintiff were caused by the negligence, carelessness, recklessness, willfulness and wantonness of the defendants:

(a) in failing to properly design the said nuclear power plant (Three Mile Island) and its component parts;

(b) in failing to properly construct the said nuclear power plant and its component parts;

(c) in failing to properly inspect and test the said nuclear power plant and its component parts;

(d) in using faulty and defective component materials in the construction of the said nuclear power plant;

(e) in exposing the public to such a defective power plant;

(f) in failing to warn the plaintiff of the defects in said nuclear power plant;

(g) in failing to exercise due care in the engineering, composition, design, construction and operation of said nuclear power plant;

(h) in failing to exercise the high standard of care required in the operation of a ultrahazardous activity (i.e. a nuclear power plant).

10. Defendants knew or in the exercise of ordinary care had reason to know of the dangerous effects of its nuclear power plant.

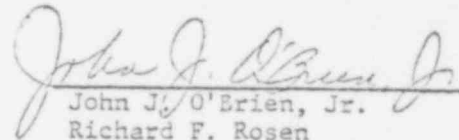
11. The said nuclear power plant and its component compositional parts were under the sole and exclusive possession and control of the defendants, while it was being engineered, composed, designed, constructed and operated.

12. Defendants operated said nuclear power plant and its component parts in a defective condition unreasonably dangerous to the plaintiff's property and harm was thereby caused to the plaintiff.

POOR ORIGINAL
265 033

20. Further, the plaintiff demands a trial by jury on all issues of this action.

WHEREFORE, judgment is demanded jointly and severally against the defendants by the plaintiff for economic losses in an amount in excess of Ten Thousand (\$10,000.00) Dollars as well as punitive damages in an amount in excess of Ten Thousand (\$10,000.00) Dollars.



John J. O'Brien, Jr.

Richard F. Rosen

John J. O'Brien, III

POOR ORIGINAL

13. The defendants are engaged in the business of designing, manufacturing, constructing; and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts (II).

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time and loss of sales.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.

17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further, the plaintiff can show with its receipts the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.

POOR ORIGINAL
265 028

265 034

POOR ORIGINAL

13. The defendants are engaged in the business of designing, manufacturing, constructing and selling of the component parts of the said Three Mile Island Nuclear Power Plant and those component parts were expected to and did reach the nuclear power plant without substantial change in the condition in which they were designed, manufactured, constructed and sold.

14. The defendants in constructing and operating a nuclear power plant and its component parts in such a defective condition as to be unreasonably dangerous to consumers, violated the standards of Section 402A of the Restatement of Torts(II).

15. As a result of the foregoing the plaintiff's business has suffered irreparable economic losses which include but are not limited to lost operating time and loss of sales.

16. Further, as a direct result of the defendants' conduct the public interest in shopping in the area surrounding the Three Mile Island Nuclear Plant area has been so reduced that the plaintiff will never recover from the economic loss.

17. Further, the public's fear of contaminated merchandise has nearly rendered the plaintiff's products and services worthless.

18. Further, the plaintiff can show with its receipts the marked decline in business immediately following March 28, 1979.

19. Further, due to the extraordinary negligence on the part of the defendants and in view of the irreparable economic loss suffered by the plaintiff, the plaintiff demands that punitive damages be awarded in its favor.